

HOUSE BILL 115

By Alexander

AN ACT to amend Tennessee Code Annotated, Title 7;  
Title 8; Title 41; Title 49 and Title 50, relative to  
payroll deductions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-51-204, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Section 8-23-204, is amended by deleting the section in its entirety.

SECTION 3. Tennessee Code Annotated, Section 8-50-109(a), is amended by deleting the language "employee association which has qualified for payroll deductions for association dues in accordance with § 8-23-204," and substituting instead "employee association that qualified for payroll deductions for association dues under § 8-23-204, as that section existed on June 30, 2017,".

SECTION 4. Tennessee Code Annotated, Section 8-50-110, is amended by deleting the language "employee association which is qualified for payroll deduction for association dues as set forth in § 8-23-204" wherever it may appear and substituting instead "employee association that qualified for payroll deductions for association dues under § 8-23-204, as that section existed on June 30, 2017,".

SECTION 5. Tennessee Code Annotated, Section 8-50-110(a), is amended by deleting the language "association according to the latest certification of the chief administrative officer made to the commissioner of finance and administration as required by § 8-23-204." and substituting instead "association."

SECTION 6. Tennessee Code Annotated, Section 8-50-901(1)(B), is amended by deleting the subdivision and substituting instead:

(B) Which qualified for payroll deductions for association dues under § 8-23-204, as that section existed on June 30, 2017; and

SECTION 7. Tennessee Code Annotated, Section 8-50-1001(a), is amended by deleting the language "association meeting the requirements of § 8-23-204(a)(2)" and substituting instead "association that qualified for payroll deductions for association dues under § 8-23-204(a)(2), as that subdivision (a)(2) existed on June 30, 2017,".

SECTION 8. Tennessee Code Annotated, Section 41-24-113(b)(1), is amended by deleting the subsection and substituting instead:

(1) An employee must be allowed to be a member of an employee association that qualified for payroll deductions for association dues under § 8-23-204, as that section existed on June 30, 2017.

SECTION 9. Tennessee Code Annotated, Section 49-5-608, is amended by deleting subdivision (a)(7) in its entirety, and is further amended by deleting subdivision (b)(6) and substituting instead the following:

(6) Payroll deductions for the dues of an employee association, as that term is defined in Section 10.

SECTION 10. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following language as a new section:

(a) As used in this section:

(1) "Employee association" means any association, organization, nonprofit organization, labor organization, union, federation, council, brotherhood, or similar entity whose:

(A) Membership is primarily composed of persons in their capacity as employees; and

(B) Primary purpose is to represent its members on matters of employment relations and policy, including, without limitation, matters relating to wages, salaries, hours, vacations, sick leave, holiday pay, and grievance procedures;

(2) "Local government" means a county, municipality, city, school district, or any other political subdivision of this state; and

(3) "State agency" means a department, commission, board, office, or other agency or unit of the executive, legislative, or judicial branch of state government.

(b) A state agency or local government shall not deduct and remit from the payroll of an employee any dues of an employee association.

(c) This section does not prohibit an employee of a state agency or local government from personally and voluntarily remitting dues to an employee association.

(d) This section does not prohibit an employee association from establishing an independent system for collecting dues from an employee of a state agency or local government.

SECTION 11. This act shall take effect on July 1, 2017, the public welfare requiring it.